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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT PAPER NUMBER

2675

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/884,549

Applicant(s)

LEMON, MICHAEL J.

Examiner

Ming-Hun Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-15, 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-15, 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. In view of the appeal brief filed on 1/5/05, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 3, 5, 6, 8, 9, 15, and 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,330,976 to Dymetman.

In reference to claim 1, Dymetman teaches a computer annotator system for accessing Internet data addresses, the system comprising, an electronic tablet having visible marking

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capability, a marking stylus associated with the tablet, a device for associating at least one temporarily marked location on said tablet with a preselected Internet data address wherein subsequently accessing said marked location with said stylus triggers a shift to said data address associated with said marked location (column 26, lines 19-30; column 3, lines 62-67).

In reference to claims 2 and 3, Dymetman teaches that the tablet having at least one predetermined first surface region accessible to stylus wherein annotating function commands are implemented and a predetermined second surface region accessible to stylus wherein freehand symbols indicative of the preselected data address are entered (column 26, line 40-54; column 3, lines 62-67).

In reference to claim 5, Dymetman teaches a method for indexing computer-accessible Internet sites, the method comprising accessing a first of sites, associating an address indicative of the first of said sites with a first location coordinate address on a computer writing tablet via a first visible marking a first random location on said writing tablet during access of said first of said sites, accessing a second of said sites, and associating an address indicative of the second of said sites with a second location coordinate address on ((a)) the computer writing tablet via a second visible marking on a second random location on said writing tablet during access of said second of said sites (column 26, lines 19-29 and 40-54; column 3, lines 62-67).

In reference to claim 6, Dymetman teaches an invention similar to the one being claimed, however he never explicitly teaches a method for a plurality of computer-accessible Internet sites other than said first and said second as long as there is available space for a further visible marking. This limitation is however, inherent to the art. As shown in the figures 6A and 3, the number of links that can be created is limited to the space of the available space for annotation.

In reference to claim 8, Dymetman teaches a method for using a computer writing tablet, the method comprising associating an input-output port of the tablet with signals indicative of Internet-associated computer data addresses, when each of a plurality of the Internet-associated computer data addresses is accessed, writing a mnemonic object associated therewith respectively, wherein a location on said tablet of the mnemonic object is coupled to a current one of said Internet-associated computer data addresses, and accessing any specific one of said plurality of the Internet-associated computer data addresses by selecting the mnemonic object associated therewith (column 26, lines 19-30 and column 30, line 64-column 31, line 40).

In reference to claim 9, Dymetman teaches a method of predefining specific locations on said tablet with data indexing functions (column 3, lines 21-37).

In reference to claim 15, Dymetman teaches computer code for recording temporal symbols associated with an Internet site address, computer code associating the Internet site address with a writable-erasable mnemonic device in a computer writing tablet for receiving said temporary symbols, and computer code for accessing said Internet site address via said temporary symbols (column 5, lines 1-5; column 26, lines 19-29 and 40-54; column 3, lines 62-67).

In reference to claim 17, Dymetman teaches an internet access device in communication with the internet access device, a writing tablet and associated inking stylus, and associated with the combination of internet access device, writing tablet and stylus program code using said tablet for generating bookmarks thereon related to respective search resultant internet sites such that said sites are accessible directly via said bookmarks (column 26, lines 19-29 and 40-54; column 3, lines 62-67).

In reference to claim 18, Dymetman teaches that the bookmarks are handwritten mnemonics associated with an Internet site address.

In reference to claim 19, Dymetman teaches that the bookmarks are temporary representation of coordinates on said writing tablet (column 26, line 65-column 27, line 5).

In reference to claim 20, Dymetman teaches that the bookmarks activates a jump from a current internet site address to an internet site associated with another selected one of said bookmarks (column 5, lines 1-5; column 26, lines 19-29 and 40-54; column 3, lines 62-67).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman in view of US Patent 6,766,494 to Price et al.

In reference to claims 7 and 10, Dymetman teaches a method that is similar to the one being claimed, however he does not go into detail about the specifics of deleting the links. Price, in another invention, teaches a method and system for creating ad-hoc links from free-form ink. In figure 6A and 6B and descriptions in column 7, lines 24-39, Price teaches that erasing a visible marking on said writing tablet after a last access. It would have been obvious to one

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skilled in the art to modify Dymetman's invention to include erasing the visible marking so as to remove the link from the tablet and create space for future annotations.

In reference to claim 11, Dymetman teaches a method of accessing an Internet site; and associating an address of the site with a writable mnemonic device in a computer writing tablet such that said site is re-accessible directly from said writable mnemonic device (column 26, lines 19-30 and column 3, lines 62-67). Dymetman however does not teach that the device is writable-erasable. As mentioned in the rejection of claims 7 and 10, Price teaches a similar writable-erasable associating method. It would have been obvious to one skilled in the art to modify Dymetman's invention to include erasing the visible marking so as to remove the link from the tablet and create space for future annotations.

In reference to claim 12, Dymetman teaches that the method provides writing table function keys associated with writing-erasing a mnemonic device on said computer writing tablet (column 5, lines 10-18; column 28, lines 40-51).

In reference to claim 13, Dymetman teaches providing predetermined coordinate regions of the writing tablet such that each said mnemonic device is automatically associated with one of said predetermined coordinate regions when entered therein (column 3, lines 60-67).

In reference to claim 14, Dymetman teaches automatically alternating access between a plurality of addresses accessed and associated with mnemonic devices by alternating current selection between said mnemonic devices with a writing tablet writing instrument column 26, lines 19-29 and 40-54; column 4, lines 24-34).

Conclusion

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,734,882

US Patent 6,144,380

US Patent 6,526,424

US Patent 6,697,838

US Patent 5,815,830

US Patent 6,373,473

US Patent 6,820,111

US Patent 6,877,137

US Patent 6,219,679


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ming-Hun Liu whose telephone number is (571)272-7770. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571-272-3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ming-Hun Liu


SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER